

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

Cassius Lamar Shine,	:
Plaintiff,	:
	:
v.	: File No. 2:06 CV 237
	:
Robert Hofmann, Susan Blair,	:
Jodie Chafee, Modiano,	:
Kevin Ashburn, Nick Burnham,	:
Defendants.	:

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed October 6, 2008. Plaintiff's objections were filed October 22, 2008.

A district judge must make a *de novo* determination of those portions of a magistrate judge's report and recommendation to which an objection is made. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b) (1); *Perez-Rubio v. Wyckoff*, 718 F.Supp. 217, 227 (S.D.N.Y. 1989). The district judge may "accept, reject, or modify, in whole or in part, the magistrate's proposed findings and recommendations." *Id.*

After careful review of the file, the Magistrate Judge's Report and Recommendation and the objections, this Court ADOPTS the Magistrate Judge's recommendations in full.

The plaintiff's motion for a temporary restraining and preliminary injunction (Paper 46) is **DENIED**. In addition, plaintiff's motion to amend his complaint (Paper 33), motion

for appointment of counsel (Paper 44), and motion to compel
(Paper 45) are **DENIED** without prejudice.

Dated at Burlington, in the District of Vermont, this 27th
day of October, 2008.

/s/ William K. Sessions III
William K. Sessions III
Chief Judge